CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

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C&N (D&E)
December 21, 1982

To: Mayor's Committee on Aging

Subject: Granny Flats

Origin: Commissioner of Planning and Development
(c71nhc82106:112)

Comments:

Introduction

At its meeting on September 30, 1982, the Mayor's Committee on Aging requested:

> "That the Commissioner of Planning, in consultation with the Commissioner of Housing, the Commissioner of Buildings and Inspections, and the Medical Officer of Health, be requested to explore the concept of "granny flats", and report on the possible means of implementation."

The term "granny flat" has been used in both the United States and Australia for temporary housing adjacent to a permanent dwelling used to house an elderly relative. The form varies from portable panel construction to mobile homes. It may be a temporary addition to the permanent dwelling or a separate structure.

The issues which arise in exploring the feasibility of "granny flats" include:

1. Implications for health and social services.
2. Municipal and provincial restrictions.
3. Funding.

This report will explore these issues in relationship to separate structures as well as conversion of a single dwelling into a two-dwelling unit, presenting options for possible action. A conversion could either be the older person's home to allow the family to move in or the converting of the family's home to accommodate the single older person.

Health and Social Service Implications

The interest in "granny flats" reflects the perceived housing and social needs of older single adults. Although the needs are real,

there are a number of factors which should be considered in the development of such a concept:

1. effect on the elderly person;
2. effect on the family;
3. demand on community services.

The effect on the elderly person depends on that person and the family with whom he or she will be living. Ideally, such an arrangement should provide a familiar, supportive environment in which the older person can feel secure and useful. However, not all families can provide such an environment, particularly if care for the older person places heavy demands on the family. There is potential for abuse, both psychological and physical, particularly if the family could exploit the situation with a older person to gain additional income or a renovation to their home. While such situations may not represent a high percentage of people, they are frequent enough to warrant comment by Public Health Nurses. "Granny flats" clearly should be viewed as one alternative to institutionalization, and should be developed with safeguards to protect the interest of the elderly persons.

The effect on the family is dependent on the level of care required by the individual, the family's ability to provide the care, and the support available in the community. Given a thoughtful compatible family, the potential benefits to everyone are enormous. The elderly person can provide services as well as receive them from the family. However, if the older person requires care beyond the means of the family it can create stress, and could ultimately result in an undesirable situation for everyone involved.

The advantages and concerns expressed thus far indicate that it is difficult to predict the demand on community services. The demand is likely to vary over time. Initially, there may be increased demand on such services as Public Health and neighbourhood support services, as the elderly person and the family adjust to each other. In situations where health deteriorates or the family relationships break down, increased demand on services may once again occur.

The City of Toronto has consistently made commitments towards development of community services to allow people to remain out of institutions. Although this shifts a greater proportion of the care costs to the community, the cost of maintaining an individual in the community generally is less than placement in an institution which may provide more care than is needed. The services most likely to be affected are Public Health Departments, Parks and Recreation Department, support service agencies, and older adult centres.

Off setting the demand on community services, would be the care provided by families. It is a situation where exchange can take place, while allowing privacy for older person and the family. Such an arrangement could conceivably provide a supportive environment in which the elderly person's health could be maintained longer.

Municipal and Provincial Restrictions

1. Zoning

In cases where the "Granny flat" is to be a renovation within an existing structure, the Zoning By-law permits conversions of houses to multiple units, under certain conditions, in all residential zoning districts except some R1 districts. This covers most of Toronto. The parts of Toronto where such conversions are not permitted are Swansea, Deer Park, Forest Hill and Rosedale, which represent only small proportion of Toronto residential neighbourhoods. These are areas with sufficiently large lots that a separate temporary structure could be considered. However, the zoning by-law permits only one structure per lot, and the residents of these neighbourhoods have strongly opposed any move towards more intensive use of the existing houses. Residents in these areas are not likely to want temporary structures in their yards, and generally have the means of providing other care for aging parents. One concern is that the zoning by-law cannot provide for temporary use for either a separate structure or renovated dwelling, nor can it prescribe occupancy on the basis of family relationships. If the by-law is amended to allow a particular use, that use becomes permanent, and there is no guarantee of future occupancy of the building. In addition, the climate is such that temporary structures are not practical because connections to sewer, water and electricity must be underground.

Given that traditional concept of "granny flat" as a separate structure does not appear to be practical for Toronto, your Committee may chose to deal with it strictly as a provincial issue. However, if you wish to pursue it, the City of Toronto has overcome a similar problem relating to front yard parking for physically handicapped people through special provincial legislation amending the City of Toronto Act to permit "the provisions thereof in respect of front yard parking for physically handicapped persons may be different from and in conflict with any other provisions contained in a by-law passed under that section". The subsequent by-law provided for a permit of a temporary nature dependent on occupancy of the residence. This could work if the structure were separate and could be easily removed.

The Legal Department could be requested to explore the feasibility of requesting special legislation amending the City of Toronto Act to permit a by-law to allow temporary structures for elderly relatives, under certain conditions. There are two issues related to this should the City Solicitor give a positive response:

1. The residents in R1 areas, where separate structures are most feasible since lots tend to be fairly large, are likely to oppose such a by-law.

2. The conditions under which such structures would be permitted needs to be established, taking into consideration existing regulations.

2. Minimum Room and Unit Size

Under the current existing regulations, a "granny flat" created through a conversion or as a separate building would have to conform to the minimum room and unit size required by the Zoning By-law, the Housing By-laws and the Ontario Building Code. In a recent report to Land Use and Neighbourhoods Committees, the Interdepartmental Task Force on Affordable Housing recommended the deletion of reference to room or unit size in the Zoning By-law, leaving the less restrictive regulations of the Housing By-law and Ontario Building Code. (Report attached) This would make it easier to convert a single family dwelling into two units no matter what the occupancy.

3. Parking Standards

Although the current zoning by-law essentially requires one parking space for each dwelling unit, parking standards more recently adopted by Council, but yet to be approved by the Ontario Municipal Board, exempt either one or the first two dwelling units depending on whether parking existed prior to conversion. This would decrease parking restrictions for "granny flats". The current restrictions would apply to both conversions and separate structures.

4. Culinary and Sanitary Facilities

The Zoning By-law does not allow cooking equipment in sleeping rooms, a requirement which is inconsistent with the Housing By-law. The Interdepartmental Task Force on Affordable Housing have recommended deletion from the Zoning By-law "any provision prohibiting culinary facilities or sinks in dwelling rooms, as defined above" (definition of dwelling room: i) any room under a single tenancy and designed or intended for the exclusive use of the occupants; ii) does not include a hotel room; and iii) does not include a room within a dwelling unit).

While conversions are not allowed in R.1 districts, a private detached dwelling house may accommodate up to 2 roomers or boarders, an elderly relative included. In this case, the older person would not be allowed a self-contained unit. If the recommendations of the Affordable Housing report are approved, then it would be possible for a "granny flat" to exist in a R.1 house with its own kitchen facilities, but with a shared bathroom.

5. Building Standards

Conversions are regulated by a number of local by-laws plus the Ontario Building Code. All of this is checked prior to issuance of a building permit. As previously indicated, there is a move to make the municipal regulations less restrictive.

Mobile or tempory structures must be certified by the Canadian Standards Association (C.S.A.). Structures manufactured by Canadian firms familiar with the C.S.A. standards should conform to such standards.

In summary, the key restrictions are:

Conversions:

- existing zoning by-law standards concerning room and unit size, the location of culinary and sanitary facilities, and parking;
- zoning by-law not permitting conversions in Rl districts.
- a conversion is a permanent change to a building.

Temporary Structures:

- the zoning by-law does not prescribe occupancy based on family relationship;
- the zoning by-law does not provide for temporary use;
- existing parking requirements;
- Ontario Building Code and C.S.A. requirements.

The Funding

A key restriction to providing "granny flats" is the cost. At present, there are no Federal or Provincial programs in place to financially assist homeowners who want to create a new dwelling unit within the existing structure. Nor are there any Federal or Provincial programs to provide assistance for temporary structures. The province could establish such a program with federal assistance. However, as pointed out in my report on "Basement Apartments in Existing Houses":

> "Further, in recent discussion with Planning staff, officials of the Ministry of Municipal Affairs and Housing have indicated that the Province is reluctant to provide financial assistance for conversion until municipal zoning by-laws are amended to facilitate creation of new units within existing houses and until the Ontario Building Code is expanded to provide standards for individual homeowners".

The focal point of funding is the province for any of the following funding options:

- funding which is aimed at increasing the housing stock through conversion, not dependent on occupancy of the flat by an older person;
- funding for conversions which is dependent on occupancy by an elderly person (this cannot insure future occupancy);
- funding for a separate temporary unit which can removed when it is no longer using it.

Suggested Actions for Your Committee

Clearly, "granny flats" are one alternative to institutionalization which should be developed in a manner which is sensitive to the needs and rights of the elderly person. There are a number of courses of action open to the Committee on Aging in pursuing this. The following outlines some possibilities:

1. Approach the Province with a request that they develop a "granny flat" program. Such a program could include either funding or actual provision of a unit. Such a request would have to deal with structure, land-use, funding, care and inter-personal issues. The Committee may wish to develop a model prior to approaching the Province.

2. In conjunction with approaching the Province you may want to approach the residents associations of Rosedale, Deer Park, Forest Hill and Swansea to encourage zoning which would allow conversions or temporary structures. If they are prepared to consider this at all, these groups may be able to assist with the development of a model program.

3. Advise Neighbourhoods Committee of your concerns and determine which recommendations you support in the report from the Task Force on Affordable Housing, at the public meeting to be held in January, 1983.

4. If it is determined that temporary structures are viable, you could request the City Solicitor to explore the feasibility of requesting special provincial legislation amending the City of Toronto Act to permit a by-law to allow temporary structures for elderly relatives, under certain conditions. Such a request would have to include details of the program.

These are not exclusive suggestions, and some could be done simultaneously. However, the first two possibilities could require a great deal of work by the Committee.

Recommendation

That this report be received for information and consideration by the Committee.

Stephen G. McLaughlin
Commissioner

MB/kym

Attachment

POOR

QUALITY

ORIGINAL